

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.212 OF 2007
IN
CRIMINAL APPLICATION NO.4517 OF 2006
IN
CRI.APPLICATION NO.4517 OF 2006
IN
C.C.NO.245/P.W./2006

Manoj B.Parekh ..Applicant

Vs.

State of Maharashtra ..Respondents

Mr.A.I.pathan i/b Jahangir Khajotia advocate for
applicant
Mr.K.V.Saste A.P.P. for the State
...

CORAM: SMT.V.K.TAHILRAMANI, J.
DATE : APRIL 27, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. By order dated 20.12.2006, the applicant was granted bail on certain conditions. One of the conditions was that he shall not leave Mumbai without prior permission of the trial Court. Thereafter, the applicant preferred an application for modification of the said condition on the

ground that he had to face a number of civil matters in Gujarat and therefore, he was required to frequently visit Gujarat. This Court by order dated 21.2.2007 deleted the said condition subject to the condition that the applicant shall deposit his passport with I.O. if it is not already deposited. Now the applicant is seeking return of his passport and permission to travel to U.K.

3. The learned A.P.P. has pointed out that the F.I.R. in the present case is dated 31.7.1998. After the F.I.R. came to be lodged, the applicant was not available. A circular was issued to look out cells at all the ports and especially at Air ports. After doing so, and after watch was kept for a long time, ultimately the applicant came to be arrested on 9.11.2006 at the Airport when he came from U.K. The learned A.P.P. stated that the applicant has been absconding for almost seven years. The applicant is holding dual citizenship of U.S.A. and South Africa. He further submitted that if the passport is returned to the applicant and he is allowed to go abroad, it is apprehended that the applicant would not be available for trial and he may abscond.

4. Looking to the past history of the applicant and the facts and circumstances of this case, I do not think that this is a fit case to relax the said condition and to grant permission to the applicant to travel abroad.

5. Application is rejected.

[Smt.V.K.Tahilramani, J.]